AMENDMENTS

In the Claims

The following is a marked-up version of the claims with the language that is underlined ("___") being added and the language that contains strikethrough ("~~---~~") being deleted:

1. (Currently Amended) A facet fusion system for fusing a facet joint comprising:

a trochar arranged and configured for use during percutaneous retraction;

a retractor arranged and configured for use during percutaneous retraction; and

a facet bur arranged and configured for decorticating the facet joint, said facet bur comprising:

a shaft being adapted releasably to engage a power source for rotation; and

a head having a planar and an extension extending from said planar;

wherein said planar extends laterally outward from a longitudinal axis of said head;

wherein said shaft extends from said planar of said head and extends from said planar in a direction opposing said extension of said head;

wherein said extension is tapered to engage a facet joint to taper said facet joint and said planar has an abrasive surface to engage and plane a posterior surface of the facet joint while the extension is inserted into the facet joint;

wherein said trochar, said retractor, and said facet bur are implemented to prepare the facet joint for fusion.

2. (Canceled)

3. (Currently amended) The facet fusion system of ~~claim 2~~ claim 1, further comprising:

a facet sizer arranged and configured to aid in the determination of an appropriate size implant to be inserted into the facet joint to facilitate fusion.

4. (Canceled)

5. (Original) A facet fusion system of claim 1, further comprising:

an implant arranged and configured to facilitate fusion of the facet joint.

6. (Original) A facet fusion system of claim 5, further comprising:

staple means for fixing said implant in position in the facet joint;

wherein said staple means facilitates fusion of the facet joint with said implant.

7. (Currently amended) A facet fusion system for fusing a facet joint comprising:

retraction means for performing percutaneous retraction; and

decorticating means for decorticating the facet joint, said decorticating means comprising:

a shaft being adapted releasably to engage a power source for rotation[.];

a taper means for tapering the facet joint;

a planing means for planing a portion of the facet joint; and

a support means for supporting and rotating said decorticating means and said planing means.

8. (Canceled)

9. (Original) The facet fusion system of claim 7, further comprising:

fusion means for facilitating fusion of the facet joint.

10. (Original) The facet fusion system of claim 9, further comprising:

sizing means for determining appropriate dimensions of said fusion means.

11. (New) A facet fusion system for fusing a facet joint comprising:

a trochar arranged and configured for use during percutaneous retraction;

a retractor arranged and configured for use during percutaneous retraction; and

a facet bur arranged and configured for decorticating the facet joint, said facet bur comprising:

a shaft being adapted releasably to engage a power source for rotation; and

a head having a planar and an extension extending from said planar;

wherein said planar extends laterally outward from a longitudinal axis of said head;

wherein said shaft extends from said planar of said head and extends from said planar in a direction opposing said extension of said head;

wherein said extension is tapered to engage a facet joint to taper said facet joint and said planar has an abrasive surface to engage and plane a posterior surface of the facet joint while the extension is inserted into the facet joint;

wherein said trochar, said retractor, and said facet bur are implemented to prepare the facet joint for fusion;

a facet sizer arranged and configured to aid in the determination of an appropriate size implant to be inserted into the facet joint to facilitate fusion comprising:

a body portion; and

a handle extending from said body portion;

wherein said body portion is arranged and configured to aid in the determination of an appropriate size implant to be inserted into the facet joint to facilitate fusion.

12. (New) A facet fusion system of claim 11, further comprising:

an implant arranged and configured to facilitate fusion of the facet joint.

13. (New) A facet fusion system of claim 12, further comprising:

staple means for fixing said implant in position in the facet joint;

wherein said staple means facilitates fusion of the facet joint with said implant.